

IN The United States District Court
Middle District Alabama

RECEIVED

Billy GAY AINS

JUN 27 A 10: 24

V

Gwendolyn Mosley

DEBRA H. BAUER, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

3:05cv1228-MEF

Petitioner Request For The
MAGISTRATE WALKER RECUSAL

INTO this COURT Comes Billy AINS (AINS) by and Thru.
himself And would now move MAGISTRATE SUSAN
AUSS WALKER to Recuse herself From this habeas
PROCEEDING FOR good CAUSE AS Shown here AFTER.
AINS would Show the Following ISSUES AS Reason FOR
the RECUSAL by WALKER.

- ① The INADiQUATE ORDER to Show CAUSE (Doc 4)
Filed 1-9-06 And the IGNORing of the CLEARLY
ESTABLISHED Rules R-5. GOVERNING habeas PROCEDURE
And 28 USC §§ 2247, 2248, 2249 And 28 USC § 2254.
- ② The Refusal to APPOINT Counsel (Doc 10) (Doc 14).
- ③ The neglect of duty to seek the CASE RECORDS
to PROPERLY Review the Claim Presented.

- ④ The denial of due process by the Attempt to hinder AHS Pursuit for Justice by the Blind use of A Technicality with out Full And Proper Understanding of the Fact, see (Doc. 4) (Doc. 12) (Doc. 14) :
- ⑤ The Altered Records Presented by The Respondants, (Doc 19).
- ⑥ The Apparent Failure to Completely Read And Understand the Pleading submitted by AHS (Doc. 19)
- ⑦ AHS does now Feels that Walker has A Clearly Biased And negative Attitude toward him IN this Instant habeas Petition And has Every Intention of Ruling Against him IN FAVOR of the Named Respondant Gwendolyn Mosley (A sister of the Eastern Star) Walker has by her Action Clearly Ignored the Clearly Established Federal Law And the Congressional Intent within 28 USC §§ 2254 Rules AS well AS 28 USC §§ 2247, 2248, 2249, by And through her order see (Doc. 11) (Doc. 12) (Doc. 22) Plus the Eleventh Circuit Court of Appeals holding with in Bundy V Wainwright 808 F 2d

Clearly the Technicality Raised by Walker
(28 USC 2244(d) does not APPLY IN this INSTANT
Action due to the LACK of a FINAL Decision being
ISSUED WITH IN The State's Case
CC-90-007 & CC-90-008 due to the Clearly
VALID Action AHS has it seems Still is Pending
IN the Circuit Court of Randolph County Ala.
According to Respondants Attorney Yvonne SAXON
(Doc 17).
AHS feels that the ERRORS that Show Within Walker
handling of this INSTANT habeas Action does
Indicate that She shall Recuse herself IN the very
Interest of Justice.

cc File

Respect Fully Submitted
Billy Gay AHS
Billy Gay AHS #161437

Executed 6-26-06

Certificate of Service

I Certify that a copy of the Afore going has been Filed
ON Yvonne SAXON by Placing same in the Legal mail
System at ECF.